
 <p style="text-align: center;"><b>ADMINISTRATIVE REGULATION</b></p> <p style="text-align: center;"><b>STATE OF ARKANSAS</b></p> <p style="text-align: center;"><b>BOARD OF CORRECTION AND COMMUNITY PUNISHMENT</b></p>	<b>Section Number: AR 7.4</b>	<b>Page Number: 1</b>
	<b>Board Approval Date: 11/16/00</b>	
	<b>Supersedes: DCP 7.4</b>	<b>Dated: 8/22/97</b>
	<b>Reference:</b>	<b>Effective Date: 12/31/00</b>
<b>SUBJECT: OFFENDER RECORDS</b>		

- I. **AUTHORITY.** The Board of Correction and Community Punishment (BCCP) is vested with the authority to promulgate administrative regulations by Ark. Code Ann. §§ 12-27-105, 16-93-1203 and 16-93-1205.
- II. **APPLICABILITY.** Department of Community Punishment (DCP) employees and health care contractor employees.
- III. **POLICY.** The DCP shall maintain a full and complete record for every offender under agency supervision. Offender records and information in offender records shall be protected from inspection or disclosure, copying or issuing except as authorized by administrative regulation or by order of a court of competent jurisdiction.
- IV. **GUIDELINES.** The DCP shall maintain a full and complete record for every offender under agency supervision. Offender records/information may be disclosed, copied or inspected as follows:
  - A. by order of a court of competent jurisdiction;
  - B. in accordance with a research plan approved by the DCP Director prior to the start of research, non-departmental agencies or personnel may review or obtain offender records for the purpose of research;
  - C. health care or treatment program organizations may obtain medical or mental health information necessary to provide treatment in accordance with guidelines established by the DCP Director or the company providing contract health care services at Centers;
  - D. health care or treatment program organizations may obtain drug testing information for an offender for the purpose of providing substance abuse treatment, provided an accompanying statement restricts further disclosure without specific written consent by the offender;

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**E.** The DCP Director shall establish guidance addressing disclosure, copying or inspecting offender records relative to the following people, groups or agencies:

1. contract medical and mental health employees;
2. prosecuting or offender's criminal defense attorneys;
3. other state agency personnel;
4. other criminal justice agencies;
5. offenders (his/her record in accordance with DCP AD);
6. DCP staff; and
7. the public (to include media) provided that the public will only be given the following offender information, and only in accordance with administrative procedures established by the DCP Director:
  - a. Offender name;
  - b. Offender or case number;
  - c. Conviction information;
  - d. Existing detainer or warrant information;
  - e. Date placed on, or discharged from, parole or probation;
  - f. Date of birth;
  - g. Race, and
  - h. Sex.

**V. REFERENCE.** Ark. Code Ann. § 12-27-125.

**VI. STANDARDS.** American Correctional Association (ACA) Standards for Adult Community Residential Services, third edition, standards 3-ACRS-1G-04 and -05. ACA Standards for Adult Probation and Parole Field Services, third edition, standard 3-3109.